

10-18-06

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Patent Docket P1918R1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Luc Desnoyers et al.

Serial No.: 10/519,621

Filed: December 28, 2004

For: METHODS AND COMPOSITION FOR

MODULATING AND DETECTING

WISP ACTIVITY

Group Art Unit: to be assigned

Examiner: to be assigned

Confirmation No: 9135

CUSTOMER NO: 09157

CERTIFICATE OF EXPRESS MAILING

EXPRESS MAIL LABEL NO.: EV 384510715 US

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to "Commissioner for Patents, P.O. Box 1450,

Alexandria Virginia 22313-1450".

October <u>//</u>, 2006

Diane L. Marschang

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

#### [X] 37 CFR §1.97(b)

- within three months of the filing date of the application other than a continued prosecution application under 37 CFR § 1.53(d); or
- within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR§1.491, or
- before the mailing of the first Office action on the merits; or
- before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR §1.114.

[X] **37 CFR §1.97(e)** Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) and/or publication(s) is set forth on the attached revised Form PTO-1449.

A concise explanation of relevance of the items listed on PTO-1449 is:

[X] not given

- [] given for each listed item
- [] given for only non-English language listed item(s) [Required]
- [] in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR § 1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 for this Information Disclosure Statement, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

Date: October <u>17</u>, 2006

Diane L. Marschang

Reg. No. 35,600

Telephone No. (650) 225-5416



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October <u>17</u>, 2006

Diane L. Marschang

# TRANSMITTAL LETTER

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Supplemental Information Disclosure Statement;
- 2. Form PTO-1449 with 4 References;
- 3. Copy of International Search Report;
- Return postcard.

In the event any additional fees are due in connection with the filing of these documents, the Commissioner is authorized to charge such fees to our Deposit Account No. 07-0630.

Respectfully submitted,

GENENTECH, INC

Date: October  $\frac{/7}{}$ , 2006

Diane L. Marschang

Reg. No. 35,600

Telephone No. (650) 225-5416

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FORM	PTO-1			U.S. Dept. of Commerce  Patent and Trademark Office			Atty Docket No.			Serial No. 10/519621		
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	1	WO 2004/003158 WO 2005/025603	08.01.04 24.03.05	PCT PCT								
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	OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages, etc.)  Saxena , N. et al., "Differential expression of WISP-1 and WISP-2 genes in normal and transformed human breast cell lines" Mol. Cell. Biochem. 228:99-104 (2001)											
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.